

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ALEXANDER CALDERON et al.,

Plaintiffs,

- against -

ABBOTT LABORATORIES,

Defendant.

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**REPORT AND  
RECOMMENDATION**  
CV 05-0994 (CBA) (JO)

**JAMES ORENSTEIN, Magistrate Judge:**

On October 9, 2006, defendant Abbott Laboratories filed a request that all filings showing the settlement amount in this matter be sealed. *See* docket entry 37. Plaintiffs do not oppose this request. *Id.* Indeed, confidentiality appears to be an express element of the settlement agreement. *Id.* I therefore respectfully recommend that the request be granted and that the Clerk of Court be directed to seal all filings showing the settlement amount.

This Report and Recommendation will be filed electronically on the court's ECF system and is deemed served on all parties as of the date of such filing. Any objection to this Report and Recommendation must be filed with the Clerk of Court with a courtesy copy to the undersigned within 10 days of service. Failure to file objections within this period waives the right to appeal the District Court's Order. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Beverly v. Walker*, 118 F.3d 900, 902 (2d Cir. 1997); *Savoie v. Merchants Bank*, 84 F.3d 52, 60 (2d Cir. 1996).

**SO ORDERED.**

Dated: Brooklyn, New York  
November 6, 2006

/s/ James Orenstein  
JAMES ORENSTEIN  
U.S. Magistrate Judge